

APPENDIX 11a
Coastal Works Application (Cayman)

April 23rd, 2007

Mrs. Gloria Mc Field-Nixon
Permanent Secretary
Ministry of Tourism, Environment, Investment and Commerce
Government Administration Building
Cayman Islands Government
Georgetown, Grand Cayman
Cayman Islands



Dear Mrs. Mc Field- Nixon;

RE: Addendum #4 to the Application for Coastal Works License - ex-USS Kittiwake

Please find enclosed an addendum to our recent application to the Ministry for a coastal works licence for the approval of the sinking of the ex-USS Kittiwake.

The site selection for the Kittiwake has been moved slightly from the ‘Sand Chute’ site a bit further South to allow for greater proximity to any existing artificial reefs, as per our ongoing discussions with the Ministry and the DOE. As discussed, this will require a change to the outer side of the Marine Park Boundary/replenishment Zone boundary in this area.

The proposed area is comprised of a large sand flat with no coral heads and a perimeter of a minimum of 100 feet plus in all directions around the Kittiwake to the nearest natural coral reef. The 100 foot minimum distance is on the wall/drop off side of the positioning of the Kittiwake, and inwards towards shore the minimum distance is in the 155 foot range. The ship cannot be moved further in towards shore, as the depths get too shallow for the Kittiwake.

The site is located at the following coordinates:

Latitude:	19 21.714’N	081 24.073W Bow
Longitude:	19 21.688’N	081 24.044W Stern
Sea Reference:	The site is located just off of the Sand Chute Dive Mooring	
Bottom Composition:	The area is very flat with a sand bottom	
Depths:	Stern: 56 feet	Bow: 64 feet
Direction from Bow to Stern: WNW		

From our previous correspondence of October 13th, we are also awaiting approval from the Port Authority of this location regarding the clearance to the surface. With the ship being 48 feet tall in the (approximate) 40 x 40 foot bridge area only, this would allow for a minimum of 14 feet of clearance to the surface over the top of the bridge. All other parts of the ship will have deeper clearance to the surface. The Port Authority had requested 15 feet of clearance previously.

A letter from our sinking contractor West Indian Marine noting their approval of the site from a sinking and securing of the wreck perspective is attached. This was requested by DoE and is being provided.

Thank you for your assistance and co-operation in considering this coastal works application.

A DVD of the site survey has been delivered to DoE. Additional copies are available to anyone that would like to view the site.

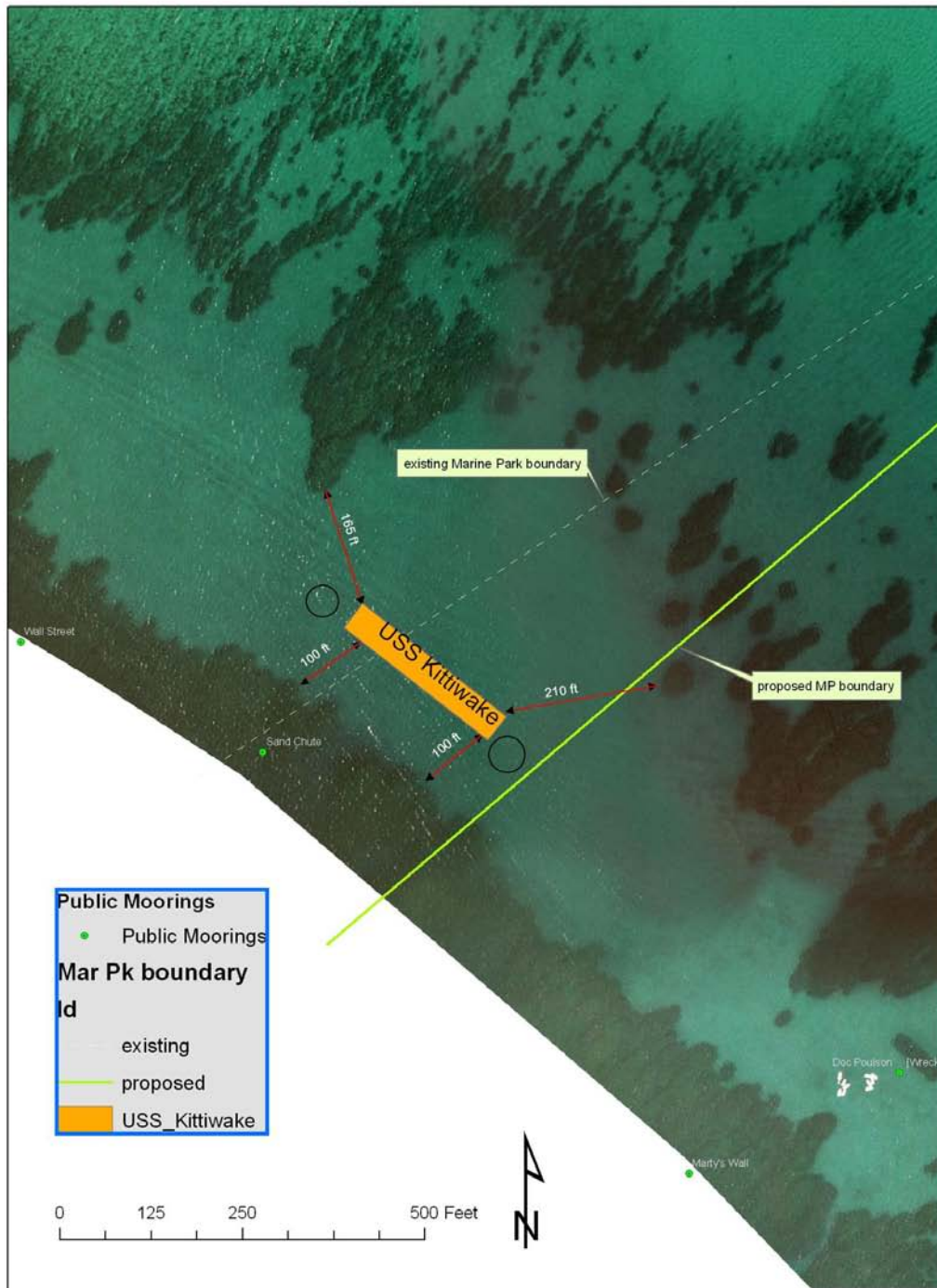
Yours Sincerely,
Cayman Islands Tourism Association

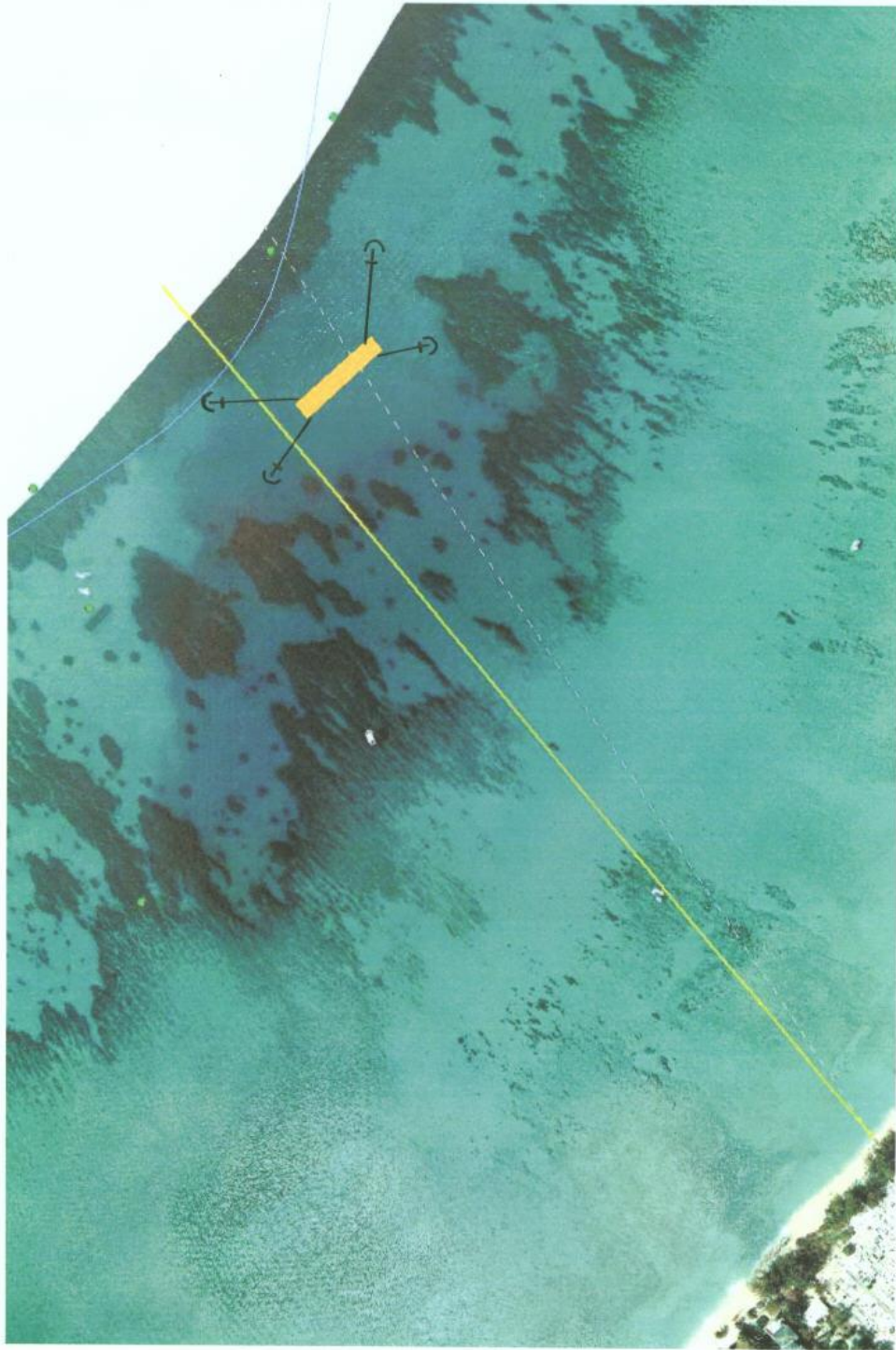


Nancy Easterbrook
CITA Kittiwake Project Manager

Cc: Mr. Charles Clifford, Minister of Tourism, Environment, Investment & Commerce
Ms. Pilar Bush, Director of Tourism
Mr. Scott Slaybaugh, Assistant Director of the Department of the Environment
Mr. Paul Hurlstone, Director of the Port Authority
Ms. Karie Bergstrom, CITA President
Mr. John MacKenzie, West Indian Marine
Mr. Rod McDowall, CITA Watersports Director
Mr. Steve Broadbelt, CITA Watersports Director
Mr. Ron Kipp, CITA Watersports Director

Proposed Site of Kittiwake Wreck





Anchor positioning prepared by West Indian Marine Group



Department of Environment
PO Box 486 GT
580 North Sound Road
Grand Cayman, Cayman Islands

3 February 2006

Nancy Easterbrook
Ship Wreck City Project
Cayman Islands Tourism Association
PO Box 31086 SMB
Grand Cayman

RE: Coastal Works Application for Shipwreck Reef

Dear Nancy,

An application form for a Coastal Works License is attached. Since the sinking of ships for artificial reefing is a rare occasion, I'm afraid there are no forms that are completely appropriate to your needs. The nearest available is for dredging and excavation, which is used for most major projects proposed on submerged Crown lands. A significant portion of the information requested may be marked n/a, and there will be much to submit which is not requested on this form such as the detailed sinking plan, the perpetual maintenance plan, diver safety provisions, and hazardous materials removal to name a few.

The purpose of the application form at this stage is to simply get the process moving and allow the Ministry of Tourism, Environment, Investment and Commerce to solicit advice from pertinent agencies such as Port Authority, Merchant Shipping Authority, Dept. of Tourism, Planning Dept., Public Works, the Investment Bureau, Dept. of Environment and others. Typically, once the Ministry has chosen agencies reviewing the proposal, there will be a joint meeting of representatives to decide on the information required, to share their perspectives, and to meet with the applicant to discuss options for the project. Many of these agencies have already been involved to some degree, so the process should not be too onerous. Once the list of information is agreed we will want to establish a reasonable timeline for completion of tasks in order to facilitate our scheduling of reviews.

You may omit the notification requirement for your project as it will not affect adjacent properties. Likewise you may omit the land registry map. The Ministry will advise whether or not notification in the local press is required.

Please let me know if I may be of assistance.

Scott Slaybaugh
Asst. Director - Operations
Dept. of Environment

(345) 949-8469 / 949-4020 fax
email: scott.slaybaugh@tcgov.ky



**APPLICATION FOR A COASTAL WORKS LICENCE
FOR DREDGE AND FILL ACTIVITIES
GENERAL APPLICATION INFORMATION**

Name of authorised Agent for licence application (if applicable) <u>CAYMAN ISLANDS TOURISM ASSOCIATION (CITA)</u>			
Mailing Address <u>PO BOX 31086 KYI-1205</u>	Office Telephone <u>949-8522</u>	Mobile <u>916-6326</u>	Fax <u>946-8522</u>
Name of Applicant (Company name and contact person) <u>CAYMAN ISLANDS GOVERNMENT & CITA</u>			
Mailing Address	Office Telephone	Mobile	Fax
Name of Contractor (Company name and contact person) <u>WEST INDIAN MARINE LTD. - JOHN MACKENZIE</u>			
Mailing Address <u>Box 31194 KYI-1205</u>	Office Telephone <u>945-7126</u>	Mobile <u>916-1555</u>	Fax <u>945-0613</u>
Project Name (for multi-family, commercial or public projects) <u>SHIPWRECK EX USS KITTIWAKE</u>			
Location of project (attach Registry Map Extract and Land Register, see items 17 and 18 below): <u>OFFSHORE</u>			
Registration Section	Block	Parcel(s)	
Registration Section	Block	Parcel(s)	
Name and address of Proprietor <u>N/A CAYMAN ISLANDS GOV'T</u>			
Street address/location of project site <u>N/A</u>			
Describe the proposed activity including any phasing. <u>SEE ATTACHED COVER LETTER</u> <u>NO PHASING</u>			
<input checked="" type="checkbox"/> Check here if information is continued on an attached sheet.			
Describe the purpose of or need for the proposed activity including any public benefits <u>SEE ATTACHED COVER LETTER</u>			
Estimated time for completion of works <u>THREE</u> <u>weeks</u> months / years (circle one).			
a. Total volume of material removed from or used to fill the seabed <u>NIL</u> cubic yards			
b. Estimated volume of marl/rock/sand removed or used in filling <u>NIL</u> cubic yards			
c. Estimated volume of peat removed if applicable <u>NIL</u> cubic yards			
d. Quantity of fill remaining on site <u>NIL</u> cubic yards			
e. Quantity of fill removed from site <u>NIL</u> cubic yards. Proposed destination <u>N.A.</u>			
f. Method of disposing of peat or other material <u>N.A.</u>			
Area of Crown property affected by excavation and/or fill activities <u>15,000</u> <u>square feet</u> / acres (circle one).			

Dredge-and-Fill Form (9/05)

11. Quantify the area of each natural community directly affected by the proposed activity. These areas shall be noted on plans (See item 20).

Mangrove NIL square feet / acres (circle one)

Seagrass NIL square feet / acres (circle one)

Hard and soft coral NIL square feet / acres (circle one)

Sand /Hard bottom 15,000 square feet / acres (circle one)

12. State the need and justification for the potential impacts to the coastal system that may be caused by the proposed activity.

13. Describe methods proposed to mitigate project impacts on affected species and the marine environment in general. Detailed plans should be submitted in accordance with items 21, 22 and-23 below.

PROJECT WILL PROMOTE THE DEVELOPMENT OF MARINE HABITAT IN THE MARINE ENVIRONMENT AND WILL NOT AFFECT MARINE SPECIES

14. Detail any available alternatives to the proposed activity on meeting the stated project purpose and any related affects on the coastal system. ALTERNATIVES CAN ONLY BE THE SINKING SITE &

THERE ARE NO RELATED AFFECTS ON THE COASTAL SYSTEM.

☐ Check here if information is continued on an attached sheet.

15. Describe and indicate proximity to all commercial and recreational uses (e.g. fishing, diving, boating, etc.) within the area of impact of the proposed activity. THE PROJECT IS FOR BOTH COMMERCIAL & RECREATIONAL ACTIVITIES & FOR THEIR BENEFIT.

SEE ATTACHED COVER LETTER

ALL APPLICANTS ARE REQUIRED TO SUBMIT THE FOLLOWING ITEMS AS ATTACHMENTS:

16. Registry Map Extract which must be less than 60 days old. N.A ☐

17. Land Register which must be less than 60 days old. N.A ☐

18. Proof of general public notification placed in a daily local newspaper for one day only for two consecutive weeks. This notice shall give a written summary of the proposed works, and shall conclude with the following words: ☐

"Any person having cause to make comment on this coastal works application should do so in writing to the Permanent Secretary, Ministry of Tourism, Environment, Investment & Commerce, Government Administration Building, George Town, Grand Cayman, to be received within 21 days of publication of this notice." N.A.

The application will not be considered until at least 21 days after the final notice has been published.

19. Notice to all property owners within 500 linear feet from the boundaries of the proposed activity. NA ☐

20. Four complete sets of construction plans and specifications for the proposed activity, certified by an engineer, architect or surveyor. The plans shall include the following:

a. A dimensioned site plan to an appropriate scale showing a plan view of the proposed activity depicting the mean high water mark, the location and volume of proposed excavation or landfill areas, sediment settling areas and associated drainage systems. Identify the boundaries of significant geographical features (e.g., channels, shoals), natural communities (e.g., mangrove, seagrass, coral, hardbottom, sand) within the area of impact of the activity, proximity to special aquatic or terrestrial sites (e.g. marine park, animal sanctuary). NA ☐

b. A dimensioned cross-section and elevation views to an appropriate scale of the proposed activity depicting the mean high water mark, existing and proposed seabed profile with water depths. Identify the boundaries of significant geographical features and natural communities in the area of impact of the proposed activity. N.A ☐

c. A bathymetric survey drawing of the proposed project site is required for all dredging projects. *N.A.* ☐
 Drawings certified by a licensed surveyor shall be provided for all major projects.

d. Details of construction, including materials and general construction procedures and equipment to be used (e.g., construction access, dredging method, dredged material containment, pipeline location). *N.A.* ☐

21. A proposed mitigation plan, containing the location and details of the erosion, sediment and turbidity control measures to be implemented during each phase of construction. The plan should indicate the proposed maintenance, monitoring, and all other measures used to minimise adverse effects to water quality and the environment in general (e.g. Best Management Practices). ☐
SEE ATTACHED

22. A proposed construction schedule and operations plan detailing phasing of project activities. *N.A.* ☐

23. A proposed site rehabilitation plan if applicable. *N.A.* ☐

NOTE: In addition to full-size drawings required in paragraphs 20-23, plans shall be provided on 11-inch by 17-inch paper or an electronic (CAD) version supplied on CD. Additional information may be required for complete evaluation of the application.

24. SIGNATURE(S)

- A. By signing this application form, I am applying, or I am applying on behalf of the applicant, for the licence and any proprietary authorisations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a licence, that work prior to approval is a violation, and any licence issued or proprietary authorisation issued pursuant thereto, does not relieve me of any obligation for obtaining any other required permission prior to commencement of construction. I agree, or I agree on behalf of my corporation/client, to operate and maintain the licensed system unless the licensing agency authorises transfer of the licence to a responsible operation entity.

CAYMAN ISLANDS TOURISM ASSOCIATION

Typed/Printed Name of Applicant's Agent (If one is so authorised below)

NANCY EASTERBROOK

Signature of Applicant's Agent

Date

SEPT. 12/06

AN AGENT MAY SIGN ABOVE ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:

- B. I hereby designate and authorise the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the licence and/or proprietary authorisation indicated above; and to furnish, on request, supplemental information in support of the application. In addition, I authorise the above-listed agent to bind me, or my corporation, to perform any requirement that may be necessary to procure the licence or authorisation indicated above.

CITA & CAYMAN ISLANDS GOVERNMENT (SEE ATTACHED)

Typed/Printed Name of Applicant

NANCY EASTERBROOK

Signature of Applicant

Date

SEPT 12/06

FOR AGENCY USE ONLY

Application received by Ministry Staff:

Cabinet Decision: Approved as proposed ☐

Date of Licence issue:

Royalty: C\$

Receipt no.

Date of Permit issue:

Approved with Modifications ☐

Licence Expiry Date:

Mitigation: C\$

Fees Paid on Date:

Permit Expiry Date:

Received on Date:

Deny ☐ Date:

Other Fees: C\$

14th November, 2006

Mrs. Gloria Mc Field-Nixon
Permanent Secretary
Ministry of Tourism, Environment, Investment and Commerce
Government Administration Building
Cayman Islands Government
Georgetown, Grand Cayman
Cayman Islands

Dear Mrs. Mc Field- Nixon;

RE: Sinking site evaluation for - ex-USS Kittiwake

Please be advised that West Indian Marine Ltd. has carried out an in water bottom survey of the Rhapsody site at 19.18.842N – 81.23.699W for the sinking of the wreck of the Kittiwake and have found that the bottom topography at this site is unsatisfactory for the sinking of the vessel and for maintaining a secure and stable long term wreck site. The site consists of loose rock and rubble and a number of rock ridges which would not be conducive for the wreck stability to be located on this type of bottom. It is our opinion that the vessel will not rest on a preferred and secure flat bottom in this area and therefore will not result in a stable wreck and the long term structural integrity of the vessels hull will be compromised at this site.

We have identified an alternate site location or for the sinking of the USS Kittiwake, as a more preferred location.

The alternative site is known as North of Sand Chute - site #5 and is located at the following coordinates:

Latitude: 19.21.761N - 19.21.732N
Longitude: 081.24.162W – 081.24.119W
Bottom Composition: Flat Sand
Depths: Stern: 51 feet Bow: 60 feet
Direction from stern to bow: NW to SE

Land Reference: Generally off the West side of Grand Cayman, Seven Mile Beach

Sea Reference: Inwards towards shore from the dive site known as Sand Chute, in the NW bight area

This site is suitable as it offers both good protection from the weather being in the bight at West Bay and on the lee side of the island. The site has a satisfactory depth and generally good flat sand bottom topography for the vessel Kittiwake to rest stably and

West Indian Marine Ltd.

PO Box 51194 SMB, Grand Cayman, Cayman Islands, BWI
Tel: 1 (545) 945 7126 Fax: 1 (545) 945 0613

securely on the bottom. The sand area in this vicinity is quite large, allowing us sufficient space to sink the vessel without affecting surrounding reef areas.

Thank you for your assistance and co-operation in considering these sites for approval for this coastal works application. We look forward to receiving your favourable response and full support and approval of this site.

Yours Sincerely,
West Indian Marine Ltd.

John MacKenzie
Managing Director

Cc:

Mr. Charles Clifford, Minister of Tourism, Environment, Investment & Commerce

Ms. Pilar Bush, Director of Tourism

Mr. Scott Slaybaugh, Assistant Director of the Department of the Environment

Mr. Paul Hurlstone, Director of the Port Authority

Ms. Karie Bergstrom, CITA President

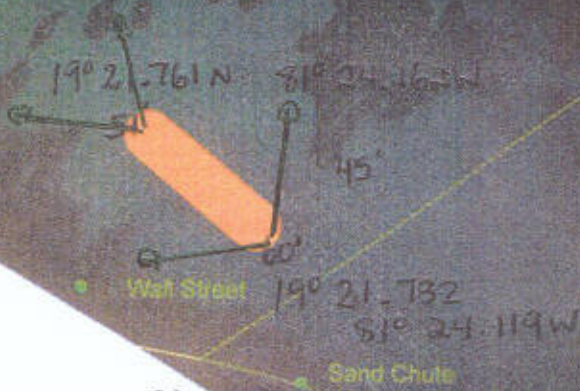
Ms. Nancy Easterbrook, CITA Project Manager/Director

Mr. Rod McDowall, CITA Watersports Director

Mr. Steve Broadbelt, CITA Watersports Director

Attachment: Anchor placement on the Sinking Site (Chart)

Marine Park Zone



0 125 250 500 Feet

Kittiwake size

Memorial Reef

Dot Pulson

Mary's Wharf

Killa

APPENDIX 11b
Coastal Works Conditional Approval letter (Cayman)



GOVERNMENT ADMINISTRATION BUILDING
GRAND CAYMAN, CAYMAN ISLANDS
TEL: (345) 949-7900
EXT. 2458
FAX: (345) 945-1746

Cayman Islands Government

**Ministry of
Tourism, Environment, Investment & Commerce**

15 November 2006

Department of Transportation
Maritime Administration
Ship Disposal Program Office (MAR 610.3) Room 2122
Attn: Zoe Washnis
400 Seventh Street S.W.
Washington, DC 20590

Dear Ms. Washnis,

RE: Provisional Approval - Coastal Works Licence for the Kittiwake as an artificial reef

Please be advised that a coastal works licence for the approval of the sinking of the ex-USS Kittiwake off the coast of Grand Cayman is currently pending final approval. However, the Ministry of Tourism, Environment, Investment and Commerce through the technical guidance of the Department of Environment (DoE) advises that provisional approval for the issuance of such a licence (at latitude 19.21.761N-19.21.732N, Longitude: 081.24.162W-081.24.119W) is hereby granted subject to DoE conditions subsequently being met and formal approval being granted by the Cabinet of the Cayman Islands.

I trust that this provisional approval of a coastal works licence satisfies MARAD requirements.

Respectfully,

A handwritten signature in blue ink, appearing to read "Gloria McField-Nixon".

Gloria McField-Nixon
Permanent Secretary and Chief Officer

APPENDIX 11c
Port Authority letter of approval for sinking site (Cayman)



PO Box 1358, Harbour Drive, Grand Cayman, Cayman Islands, British West Indies
(345) 949 2055, Fax (345) 949 5820

June 7, 2007

Mrs. Gloria McField-Nixon
Permanent Secretary
Ministry of Tourism, Environment, Development & Commerce
Glass House

Dear Mrs. McField-Nixon

Re: Proposed site for the sinking of the vessel Kittiwake

I have received correspondence from Nancy Easterbrook CITA- Kittiwake, Project Manager, asking that the Port Authority formally confirm to the Ministry that we are in agreement with the location identified as Lat 19 21.714N and Long 81 24.073W for sinking of the Kittiwake.

The Port Authority has no issues with having the Kittiwake sunk at this location.

Yours Sincerely,

A handwritten signature in dark ink, appearing to read 'Paul W. Hurlston'.

Paul W. Hurlston
Port Director

cc. Nancy Easterbrook CITA – Kittiwake, Project Manager

APPENDIX 11d
Customs exemption on duty (Cayman)

NOV-25-03 TUE 17:30

CAYMAN IS TSM ASSOC

FAX NO: 4-1522

P.01

Telephone: (345) 949-7900
Facsimile: (345) 949-8650
Telex: CP 4260



Portfolio of Finance & Economics
Government Administration Building
George Town, Grand Cayman
Cayman Islands

Ref: FIN/CUS/4

November 10th, 2003

CAYMAN ISLANDS

Ms. Nancy Romanica
Cayman Islands Tourism Association
P.O Box 31086 SMB
Grand Cayman

Dear Ms. Romanica:

RE: EXEMPTION OF IMPORT DUTY
SHIPWRECK CITY PROJECT

Reference is made to your requests for a exemption of Import Duty.

Cabinet advised that approval should be given for an exemption of import duty assessed at a rate of 10% for five vessels each valued between CI\$100,000-CI\$200,000 which are to be used in aid of The Shipwreck City Project, whose value is between CI\$500,000-CI\$750,000, in conjunction with providing final approval to allow the project to progress. The total approximate value of import duty for five vessels assessed at an import duty rate of 10% is between CI\$10,000-CI\$20,000 per vessel.

Yours faithfully,

G. A. McCarthy, O.B.E., J. P.
Financial Secretary

GAM/scm

cc: Collector of Customs
Accountant General